

FEB 28 A.M.

FILED

12 O'Clock

P.M.

FEB 28 2001

NORBERT G. WELLS
By *Deanne J. Drake*
Deputy

L. Richard Mabery
L. RICHARD MABERY, P.C.
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Attorney for The Verde Ditch Company

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YAVAPAI

GEORGE W. HANCE, <u>et al.</u> ,)	No. 4772
)	
Plaintiffs,)	Division 1
)	
vs.)	
)	JUDGMENT
STEVE COSTELLO and KATHY)	
COSTELLO, husband and wife, In)	
the Matter of THE VERDE DITCH)	
COMPANY,)	
)	
Defendants.)	

This matter came on regularly to be heard by the Court; sitting without a jury on the 17th day of January, 2001. John Reddell and Vernon Hilbers, Commissioners of the VERDE DITCH COMPANY appearing with counsel, L. Richard Mabery of L. RICHARD MABERY P.C.; STEVE COSTELLO and KATHY COSTELLO appearing in person and without counsel. The Court being fully advised of the facts of the matter, finds that STEVE COSTELLO and KATHY COSTELLO are delinquent in the payment of their ditch assessments and their

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Plfs./Atty _____
 Arb w/file _____
 Defr./Atty *Mabery* _____
 V. D.C. *V.D.C.* _____
 TOTAL *2* _____
 Vis Judge _____
 Div w/file _____
 Arbitr _____
 Other _____

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claims regarding the destruction of their pump are not properly framed within the pleadings filed by **STEVE COSTELLO** and **KATHY COSTELLO**, and even if such issues had been properly before the Court, would most likely be barred by the applicable Statute of Limitations.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the **VERDE DITCH COMPANY** shall have judgment against **STEVE COSTELLO** and **KATHY COSTELLO**, husband and wife, jointly and severally, as follows:

1. For the sum of \$744.81, for past due assessments, including penalties and interest calculated through 2000;
2. For the sum of \$426.00 for attorney's fees;
3. For the sum of \$153.00 for costs; and
4. Such sums shall accrue at the rate of ten percent (10%) interest per annum.

DATED this 28 day of February, 2001.

By 

Richard Anderson
Judge of the Superior Court